

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CONSUMERS ENERGY COOPERATIVE	DOCKET NO. P-858
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ORDER ASSIGNING TO PRESIDING OFFICER

(Issued August 12, 2004)

On May 19, 2004, Consumers Energy Cooperative (Consumers Energy) filed with the Utilities Board (Board) a petition for a pipeline permit to allow Consumers Energy to construct, maintain, and operate approximately 2.33 miles of 6-inch diameter steel pipeline in Hardin County, Iowa. The proposed pipeline would provide natural gas to the Pine Lake Corn Processors, LLC, ethanol plant located approximately five miles south of Ackley, Iowa.

Board staff reviewed the petition, notified Consumers Energy of deficiencies in the petition, and requested additional information in letters dated June 29 and July 21, 2004. On July 13, July 28, and August 2, 2004, Consumers Energy filed revisions to the petition and exhibits and provided additional information. Board staff filed a route inspection report addressing the route and the petition on August 3, 2004.

Iowa Code § 479.7 (2003) requires the Board to set a hearing in a pipeline proceeding upon the filing of a petition. The Board finds that the petition, as revised,

sufficiently meets the Board's filing requirements and the Board will assign Docket No. P-858 to a presiding officer to establish a procedural schedule and conduct a hearing. The inspection report filed by Board staff recommends Consumers Energy file additional information regarding the maximum operating pressure and the flow rate in prefiled testimony. The Board staff report also indicates that Consumers Energy should be required to file a corrected Exhibit C prior to the hearing. The presiding officer should review these recommendations and take the appropriate action.

IT IS THEREFORE ORDERED:

Docket No. P-858 is assigned to a presiding officer to establish a procedural schedule and exercise the authority provided in 199 IAC 7.1(4).

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 12th day of August, 2004.